

RECORDATION NO. 7970-E Filed 1425

Pullman Incorporated

MAR 18 1980 - 2 32 PM  
INTERSTATE COMMERCE COMMISSION

200 South Michigan Avenue  
Chicago, Illinois 60604  
(312) 322-7049  
Telex 25-4036

William O. Eldridge  
Attorney

March 12, 1980

Secretary  
Interstate Commerce Commission  
Washington, D. C. 20423

0-078A060

Re: Filing, Pullman Leasing Company  
Supplemental Agreement No. 5  
Equipment Trust Agreement  
Dated as of June 15, 1976  
(Series 6)

MAR 18 1980

Date

Fee \$ 10.00

ICC Washington, D. C.

Dear Mr. Secretary:

Enclosed for recording under Section 49 U.S.C. 11303 are executed counterparts Number 2, 3 and 4 of the Supplemental Agreement No. 5, (hereinafter referred to as the "Supplement"), dated as of January 15, 1980, to the Equipment Trust Agreement, (hereinafter referred to as the "Agreement"), dated as of June 15, 1976, between The First National Bank of Chicago, as Trustee, One First National Plaza, Chicago, Illinois 60670 and Pullman Transport Leasing Company, (presently known as Pullman Leasing Company), 200 South Michigan Avenue, Chicago, Illinois 60604. The Agreement was filed with the Commission on June 20, 1975, and was assigned Recordation Number 7970. Supplemental Agreement No. 1, dated as of January 20, 1976, was filed with the Commission on July 12, 1976, and was assigned Recordation Number 7970-A. Supplemental Agreement No. 2, dated as of June 15, 1976, was filed with the Commission on September 27, 1976, and was assigned Recordation Number 7970-B. Supplemental Agreement Number 3, dated as of January 1, 1979, was filed with the Commission on September 4, 1979, and was assigned Recordation Number 7970-C. Supplemental Agreement No. 4, dated as of November 15, 1979, was filed with the Commission on December 31, 1979, and was assigned Recordation Number 7970-D.

Under the Agreement, the Trustee leases the Trust Equipment described therein to the Pullman Leasing Company, formerly known as Pullman Transport Leasing Company.

The Supplement was entered into by Pullman Leasing Company and the Trustee for the purpose of deleting from the Agreement units of the Trust Equipment which have become worn out, unsuitable for use, lost or destroyed, and to substitute, therefore, other units of Equipment.

*Copy to Mary K. Lundberg*

RECEIVED  
MAR 24 1980  
U.S. C. REC'D

Pullman Incorporated

Secretary  
Interstate Commerce Commission  
Page 2  
March 12, 1980

I am, also, enclosing a Pullman Leasing Company check payable to the order of the Interstate Commerce Commission in the amount of \$10.00 as the recording fee for recording the Supplement.

Pursuant to the Commission's rules and regulations for recording of certain documents under Section 49 U.S.C. 11303, please duly file two of the enclosed counterparts for record in your office and return the remaining copy, together with the Certificate of Recording, to the messenger making the delivery.

If you have any question concerning this request, please call me collect.

Very truly yours,

  
William O. Eldridge

WOE:ks  
Enclosures

**Interstate Commerce Commission**

**Washington, D.C. 20423**

**3/18/80**

**OFFICE OF THE SECRETARY**

**William O. Eldridge  
Pullman Incorporated  
200 South Michigan Avenue  
Chicago, Illinois 60604**

Dear

**Sir:**

The enclosed document(s) was recorded pursuant to the provisions of Section 11303 of the Interstate Commerce Act, 49 U.S.C. 11303, on **3/18/80** at **2:30pm**, and assigned recordation number(s). **7970-E**

Sincerely yours,

*Agatha L. Mergenovich*  
Agatha L. Mergenovich  
Secretary

Enclosure(s)

SE-30  
(7/79)

RECORDATION NO. 7970-F Filed 1425

MAR 18 1980 -2 20 PM

INTERSTATE COMMERCE COMMISSION

EXECUTED IN 6 COUNTERPARTS

COUNTERPART NO. 2

PULLMAN TRANSPORT LEASING COMPANY

EQUIPMENT TRUST

(Series 6)

SUPPLEMENTAL AGREEMENT NO. 5

Dated as of January 15, 1980

TO

Equipment Trust Agreement

Dated as of June 15, 1975

BY AND BETWEEN

The First National Bank of Chicago  
Trustee

AND

Pullman Transport Leasing Company  
(Presently known as Pullman Leasing Company)

SUPPLEMENTAL AGREEMENT NO. 5

EQUIPMENT TRUST AGREEMENT

DATED AS OF JUNE 15, 1975

(Series 6)

This Supplemental Agreement (hereinafter called the "Supplemental Agreement"), dated as of January 15, 1980, by and between The First National Bank of Chicago, a national banking association incorporated and existing under the laws of the United States, as Trustee (hereinafter called the "Trustee"), and Pullman Leasing Company, formerly known as Pullman Transport Leasing Company, a corporation duly organized and existing under the laws of the State of Delaware (hereinafter called the "Company").

WHEREAS, the Trustee, and the Company entered into an Equipment Trust Agreement dated as of June 15, 1975, and have heretofore amended such Equipment Trust Agreement (which Equipment Trust Agreement as so amended is hereinafter called the "Equipment Trust Agreement"); and

WHEREAS, by Supplemental Agreement No. 2 dated as of June 15, 1976, one (1) 4750 cu.ft., 100-ton capacity Covered Hopper Car bearing Car Number PTLX 14386 was erroneously deleted from Schedule A to the Equipment Trust Agreement instead of the 4750 cu.ft., 100-ton capacity Covered Hopper Car bearing Car Number PTLX 14346; and

WHEREAS, in accordance with Section 5.06 of the Equipment Trust Agreement, the Company wishes to reconvey to the Trustee Car Number PTLX 14386 and to delete from the Equipment Trust Agreement Car Number PTLX 14346; and

WHEREAS, in accordance with Section 5.07 of the Equipment Trust Agreement, the Company wishes to change the number of Car Number PTLX 423377 to UNPX 122011; and

WHEREAS, Section 12.01 of the Equipment Trust Agreement authorizes the Trustee and the Company to enter into an agreement or agreements supplemental to the Equipment Trust Agreement which do not adversely affect the interests of the holders of Trust Certificates, as defined in the Equipment Trust Agreement, without the consent of such holders; and

WHEREAS, pursuant to the provisions of Section 12.01 of the Equipment Trust Agreement, the Trustee and the Company heretofore have entered into Supplemental Agreement No. 1 dated as of January 20, 1976; Supplemental Agreement No. 2 dated as of June 15, 1976; Supplemental Agreement No. 3 dated as of January 1, 1979; and Supplemental Agreement No. 4 dated as of November 15, 1979; and

WHEREAS, the Trustee and the Company desire to enter into the Supplemental Agreement to permit the substitution of Car Number 14386 for Car Number PTLX 14346 and to change the Car Number of the 5820 cu.ft., 100-ton capacity Covered Hopper Car from PTLX 42377 to UNPX 122011.

NOW, THEREFORE, in consideration of the mutual covenants and promises herein contained, the Trustee and the Company agree as follows:

1. The 4750 cu.ft., 100-ton capacity Covered Hopper Car bearing Car Number PTLX 14346 which has become worn out, unsuitable for use, lost or destroyed is hereby deleted from Schedule A to the Equipment Trust Agreement.

2. The 4750 cu.ft., 100-ton capacity Covered Hopper Car bearing Car Number PTLX 14386 which was erroneously deleted from the Equipment Trust Agreement is to be reconveyed by the Company to the Trustee in accordance with the provisions of Section 5.06 of the Equipment Trust Agreement. Upon such reconveyance by the Company, such unit of Equipment shall be substituted for Car Number PTLX 14346 referred to in paragraph 1 hereof.

3. Car Number PTLX 42377 which has been assigned to a 5820 cu.ft., 100-ton capacity Covered Hopper Car is hereby changed to UNPX 122011.

4. The Equipment Trust Agreement, as further amended by the Supplemental Agreement, shall continue in full force and effect.

In Witness Whereof, the Trustee and the Company have caused their names to be signed hereto by their respective officers thereunto duly authorized and their respective corporate seals, duly attested, to be hereunto affixed as of the day and year first above written.

Attest:

The First National Bank of  
Chicago, as Trustee

J. D. Wall  
J. D. Wall Trust Officer

By A. R. Bohm  
A. R. BOHM Vice President

Attest:

Pullman Leasing Company

J. F. Reigel

By Wm. W. Carter  
President

STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

I, Elizabeth Cameron , a Notary Public in and for such County and State, do hereby certify that Hugh W. Foster, personally known to me to be President of Pullman Leasing Company, a Delaware corporation, and J. F. Reszel, personally known to me to be an Assistant Secretary of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing Supplemental Agreement, appeared before me this day in person and severally acknowledged that they signed and delivered the said instrument as President and Assistant Secretary of said corporation and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said corporation, as their free and voluntary act and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 15th day of January, 1980.

Elizabeth Cameron  
Notary Public

My commission expires: May 10, 1983

STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

I, T. Brunk a Notary Public in and for such County and State, do hereby certify that A. R. BOHM , personally known to me to be a Vice President of The First National Bank of Chicago and J. D. Wall , personally known to me to be a Trust Officer of said Bank, and personally known to me to be the same persons whose names are subscribed to the foregoing Supplemental Agreement, appeared before me this day in person and severally acknowledged that they signed and delivered the said instrument as Vice President and Trust Officer of said Bank and caused the seal of said Bank to be affixed thereto, pursuant to authority as their free and voluntary act and as the free and voluntary act and deed of said Bank, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 11th day of March , 1980.

T. Brunk Notary Public

My commission expires: SEPT. 17, 1983